S.B.Civil Writ Petition NO.3976/2007

Bachela Khan

vs

State of Rajasthan & Ors.

DATE OF ORDER : - 9.7.2007

HON'BLE MR. PRAKASH TATIA,J.

Dr. Sachin Acharaya, for the petitioner.

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Heard learned counsel for the petitioner.

The petitioner's grievance is that petitioner filed an application for grant of temporary injunction under Section 212 of the Rajasthan Tenancy Act in the suit, which is pending before the court of Dy. Commissioner, Colonization, Nachana.

According to learned counsel for the petitioner, this court in identical facts, disposed of the writ petitions no.5808/2003 by order dated 14.10.2003 and ordered that till the application of the petitioner is decided by the competent authority, status quo regarding possession as of today shall be maintained.

Since the petitioner is seeking only relief of early disposal of his injunction application, therefore, the Dy. Commissioner, Colonization, Nachana is requested to decide the injunction application of the petitioner, if it is pending in the suit filed by the petitioner within a period of two months from the date of receipt of this order. The petitioner shall produce the certified copy of this order before the Dy. Commissioner Colonization, Nachana with an application for deciding the application for grant of temporary injunction. The petitioner shall not dispossess from the property in dispute till the application is decided by the Dy. Commissioner, Colonization, Nachana. The Dy. Commissioner, Colonization, Nachana shall take care not to adjourn the case beyond two months and should decide the application on merits.

Hence, the writ petition of the petitioner is disposed of.

(Prakash Tatia), J.

c.p.goyal/-